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UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON

LIFE INSURANCE COMPANY OF NORTH  
AMERICA, a Pennsylvania Corporation,

Plaintiff,

vs.

DARLENE SIMMONS; BRIAN HENSCHER,  
LAURI RENSHAW, and PROGENY  
MARKETING INNOVATIONS f/k/a BCI, a  
foreign corporation,

Defendants.

04-6204-AA

STIPULATION AND ORDER OF  
DISMISSAL

Third Party Plaintiff Darlene Simmons ("Simmons") and Defendant Progeny Marketing Innovations ("Progeny") by and through their attorneys of record have settled the remaining dispute. Pursuant to Rule 41 (a)(1) and (c), Fed. R. Civ. P., the parties hereby stipulate to dismiss all remaining claims between them with prejudice and without costs to any party.

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STIPULATION AND ORDER OF DISMISSAL

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DATED this 15 day of August, 2006.

GRAHAM & DUNN PC

By K. Michael Fandel  
K. Michael Fandel, OSB#04017  
Attorneys for Defendants Progeny  
Marketing Innovations

NELSON & MACNEIL, PC

By James Nelson  
James Nelson, OSB# 74230  
Attorneys for Third Party Plaintiff  
Darlene Simmons

This matter having come before the Court upon stipulation of the parties pursuant Fed. R. Civ. P. 41(a)(1) and (c), and the Court being fully advised in the premises, it is hereby ORDERED, ADJUDGED AND DECREED that all remaining claims between Simmons and Progeny are dismissed with prejudice and without costs to any party.

DONE IN OPEN COURT THIS 29 day of August, 2006.

Ann Aiken  
The Honorable Ann Aiken

STIPULATION AND ORDER OF DISMISSAL

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